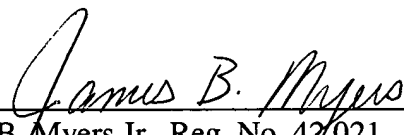


REMARKS

This application contains claims 1-25 pending and under consideration. In the Office Action dated June 16, 2004, claims 1-25 were rejected under the judicially-created doctrine of double patenting over claims 1-24 of co-pending US Patent Application 09/611,332, now US 6,733,687. Applicants submit concurrent with this response a Terminal Disclaimer to disclaim the terminal part of any patent granted on the present application that would extend beyond the expiration date of US Patent Application 09/611,332 and the required statutory fee for the Terminal Disclaimer. Accordingly, the Applicants believe that this rejection is overcome and request withdrawal of these rejections.

In view of the foregoing remarks, Applicants respectfully submit that this application is in condition for allowance. Accordingly, withdrawal of all outstanding rejections and passage of this application containing claims 1-25 are respectfully requested. In addition, the Examiner is invited to telephone the undersigned attorney if there are any questions about this submission or other formal matters, which may be addressed in that fashion to facilitate allowance of this application.

Respectfully submitted,


James B. Myers Jr., Reg. No. 42,021
Woodard, Emhardt, Moriarty, McNett & Henry LLP
3700 Bank One Center Tower
111 Monument Circle
Indianapolis, IN 46204-5137
(317) 634-3456



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
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8017-244
SEPTEMBER 05, 2000

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WOODARD, EMHARDT, NAUGHTON ET AL.
JAMES B. MYERS JR.
111 MONUMENT CIRCLE, SUITE 3700
BANK ONE CENTER/TOWER
INDIANAPOLIS, INDIANA 46204-5137



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Woodard, Emhardt, Naughton,
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RECORDATION DATE: 07/06/2000

REEL/FRAME: 010914/0804
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

HUDGENS, R. DOUGLAS

DOC DATE: 07/06/2000

ASSIGNEE:

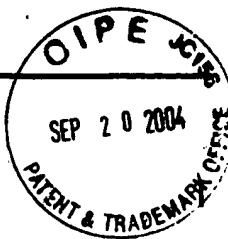
FLEETGUARD, INC., A TENNESSEE
CORPORATION
100 BNA CORPORATE CENTER, SUITE
500
NASHVILLE, TENNESSEE 32717

SERIAL NUMBER: 09611413
PATENT NUMBER:

FILING DATE: 07/06/2000
ISSUE DATE:

PAULA MCCRAY, EXAMINER
ASSIGNMENT DIVISION
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07-19-2000

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Month Day Year

First Party

HUDGENS, R. DOUGLAS

07062000

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Name (line 2)

Second Party

Name (line 1)

Name (line 2)

1-675 U.S. PTO
09/611413
07/06/00

Receiving Party



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Name (line 1)

FLEETGUARD, INC.

Name (line 2)

a Tennessee corporation

Address (line 1)

100 BNA Corporate Center, Suite 500

Address (line 2)

Address (line 3)

Nashville

Tennessee

32717

City

State/Country

Zip Code

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07/17/2000 WILLARI 00000027 09611413

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Page 2

Correspondent Name and Address

Area Code and Telephone Number		(317) 634-3456
Name	James B. Myers Jr.	
Address (line 1)	Woodard, Emhardt, Naughton, Moriarty & McNett	
Address (line 2)	111 Monument Circle, Suite 3700	
Address (line 3)	Bank One Center/Tower	
Address (line 4)	Indianapolis, Indiana 46204-5137	
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Patent Application Number(s)			Patent Number(s)		

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Number of properties

Enter the total number of properties involved	# 1
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Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41):

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Deposit Account		

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To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

James B. Myers Jr.

July 6, 2000

Name of Person Signing

Signature

Date

8017-244/PG-4255/#87427

ASSIGNMENT

WHEREAS, R. Douglas Hudgens, hereinafter referred to as Assignor, has made a new and useful invention in **ENGINE ANTIFREEZE COMPOSITION** for which Assignor has made or will make application for Letters Patent of the United States; and

WHEREAS, Fleetguard, Inc., hereinafter referred to as Assignee, a corporation of the State of Indiana, having a principal place of business at 100 BNA Corporate Center, Suite 500, Nashville, Tennessee 32717, desires to acquire all of the entire right, title, and interest in, to and under said Invention disclosed, described and/or claimed, or intended so to be in said application, and in, to and under said application, and in, to and under any and all Letters Patent, United States and foreign, which may be obtained therefor and thereon;

NOW, THEREFORE, To All Whom It May Concern, be it known that for and in consideration of the sum of One Dollar (\$1.00) and other good, valuable and sufficient considerations to Assignor in hand paid, the receipt of which is hereby acknowledged, Assignor has sold, assigned and transferred, and by these presents does sell, assign and transfer unto Assignee, all of the entire right, title and interest in, to and under said invention disclosed, described and claimed or intended so to be in said application, and in, to and under said application for United States Letters Patent executed by Assignor this _____ day of _____, 2000, and any and all other applications thereon and arising therefrom, including any and all divisions and continuations thereof, and any and all patents to be issued and obtained therefor and thereon, United States and foreign, including all reissues and extensions thereof.

Assignor hereby authorizes and requests the firm of Woodard, Emhardt, Naughton, Moriarty & McNett of Bank One Center/Tower, 111 Monument Circle, Suite 3700, Indianapolis, IN 46204-5137 to insert here in parentheses (Serial No. _____, Filed _____) the date and serial number of said application when officially known, and Assignor hereby authorizes and requests the Honorable Commissioner of Patents to issue said Letters Patent to Assignee, its assigns and legal representatives.

Assignor agrees to sign and execute any and all other papers necessary or desirable for the procurement of Letters Patent on said Inventions in this and all foreign countries for the use of Assignee.

WITNESS Assignor's hand this 6th day of July, 2000.

R. Douglas Hudgens
R. Douglas Hudgens

STATE OF TENNESSEE)
COUNTY OF PUTNAM) : SS

Before me, a Notary Public, in and for said County and State, personally appeared R. Douglas Hudgens, who, being first duly sworn upon his oath, acknowledged the execution of the foregoing "Assignment" as his voluntary act and deed.

WITNESS my hand and Notarial Seal this 6th day of July, 2000.

Deborah Ann Stephens
Notary Public

Printed: Deborah Ann Stephens

Resident of Putnam County

My Commission Expires:

4/24/02



8017-238

UNITED STATES DEPARTMENT OF COMMERCE
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SEPTEMBER 08, 2000

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WOODARD, EMHARDT, NAUGHTON ET AL.
JAMES B. MYERS, JR.
111 MONUMENT CIRCLE, SUITE 3700
BANK ONE CENTER/TOWER
INDIANAPOLIS, IN 46204-5137



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RECORDATION DATE: 07/06/2000

REEL/FRAME: 010925/0102
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

HUDGENS, R. DOUGLAS

DOC DATE: 07/06/2000

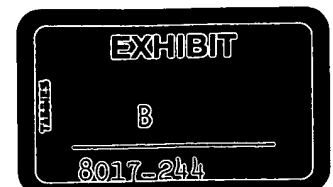
ASSIGNEE:

FLEETGUARD, INC.
100 BNA CORPORATE CENTER
SUITE 500
NASHVILLE, TENNESSEE 32717

SERIAL NUMBER: 09611332
PATENT NUMBER:

FILING DATE: 07/06/2000
ISSUE DATE:

TONYA LEE, EXAMINER
ASSIGNMENT DIVISION
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Name (line 2)		
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Name (line 2)		

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Address (line 1)	100 BNA Corporate Center, Suite 500			
Address (line 2)				
Address (line 3)	Nashville	Tennessee	32717	
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Area Code and Telephone Number		(317) 634-3456
Name	James B. Myers Jr.	
Address (line 1)	Woodard, Emhardt, Naughton, Moriarty & McNett	
Address (line 2)	111 Monument Circle, Suite 3700	
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James B. Myers Jr.

July 6, 2000

Name of Person Signing

Signature

Date

8017-238/FG-4262/#87430

ASSIGNMENT

WHEREAS, R. Douglas Hudgens, hereinafter referred to as Assignor, has made a new and useful invention in **HYBRID SUPPLEMENTAL COOLANT ADDITIVE** for which Assignor has made or will make application for Letters Patent of the United States; and

WHEREAS, Fleetguard, Inc., hereinafter referred to as Assignee, a corporation of the State of Indiana, having a principal place of business at 100 BNA Corporate Center, Suite 500, Nashville, Tennessee 32717, desires to acquire all of the entire right, title, and interest in, to and under said Invention disclosed, described and/or claimed, or intended so to be in said application, and in, to and under said application, and in, to and under any and all Letters Patent, United States and foreign, which may be obtained therefor and thereon;

NOW, THEREFORE, To All Whom It May Concern, be it known that for and in consideration of the sum of One Dollar (\$1.00) and other good, valuable and sufficient considerations to Assignor in hand paid, the receipt of which is hereby acknowledged, Assignor has sold, assigned and transferred, and by these presents does sell, assign and transfer unto Assignee, all of the entire right, title and interest in, to and under said invention disclosed, described and claimed or intended so to be in said application, and in, to and under said application for United States Letters Patent executed by Assignor this _____ day of _____, 2000, and any and all other applications thereon and arising therefrom, including any and all divisions and continuations thereof, and any and all patents to be issued and obtained therefor and thereon, United States and foreign, including all reissues and extensions thereof..

Assignor hereby authorizes and requests the firm of Woodard, Emhardt, Naughton, Moriarty & McNett of Bank One Center/Tower, 111 Monument Circle, Suite 3700, Indianapolis, IN 46204-5137 to insert here in parentheses (Serial No. _____, Filed _____) the date and serial number of said application when officially known, and Assignor hereby authorizes and requests the Honorable Commissioner of Patents to issue said Letters Patent to Assignee, its assigns and legal representatives.

Assignor agrees to sign and execute any and all other papers necessary or desirable for the procurement of Letters Patent on said Inventions in this and all foreign countries for the use of Assignee.

WITNESS Assignor's hand this 6th day of July, 2000.

R. Douglas Hudgens
R. Douglas Hudgens

STATE OF TENNESSEE)
): SS
COUNTY OF PUTNAM)

Before me, a Notary Public, in and for said County and State, personally appeared R. Douglas Hudgens, who, being first duly sworn upon his oath, acknowledged the execution of the foregoing "Assignment" as his voluntary act and deed.

WITNESS my hand and Notarial Seal this 6th day of July, 2000.

Deborah Ann Stephens
Notary Public

Printed: Deborah Ann Stephens

Resident of Putnam County

My Commission Expires:

4/24/02

Page 2

Correspondent Name and Address

Area Code and Telephone Number		(317) 634-3456
Name	James B. Myers Jr.	
Address (line 1)	Woodard, Emhardt, Naughton, Moriarty & McNett	
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James B. Myers Jr.

July 6, 2000

Name of Person Signing

Signature

Date